

REMARKS

Claims 37-57 have been examined. Claims 56 and 57 have been rejected under 35 U.S.C. § 101 and claims 37-57 have been rejected under 35 U.S.C. § 102(b).

I. Preliminary Matter

The Examiner maintains that the Information Disclosure Statements fail to comply with the provisions under MPEP §609 since the foreign documents are not in English. As set forth, however, in the June 5, 2006 Information Disclosure Statement, some of the references are cited in the present Application and some of the references were cited in the International Search Report, a copy of which was included. In accordance with MPEP § 609, a translation of a non-English language reference is not required when an Information Disclosure Statement is submitted with a concise explanation of the relevance of a cited document submitted for each patent, publication, or other information listed in an Information Disclosure Statement that is not in the English language (See MPEP 609, and 37 C.F.R. § 1.98(a)(3)). The statements in the Applicant's specification form concise statements of relevancy. Also, when a document is cited in a foreign patent office action or search report, the statement of relevance may be a translation of the portion of the foreign office action indicating the relevance found for the documents (see MPEP §609.04(a)(III)). The submitted Search Report was in English.

In view of the above, Applicant submits another copy of the PTO/SB/08 form (as previously presented) and requests that the Examiner consider and initial the cited foreign references.

II. Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 56 and 57 under 35 U.S.C. § 101 as allegedly being non-statutory. Accordingly, Applicant has amended claims 56 and 57 in a manner believed to overcome the rejection.

III. Rejections under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,466,624 to Fogg (“Fogg”)

The Examiner has rejected claims 37-57 as allegedly being anticipated by Fogg.

A. Claim 37

Applicant submits that claim 37 is patentable over the cited reference. In the claimed invention, characteristic (feature) parameters are extracted from the picture image restored, i.e., restored frame, and a picture image which has not been received is restored by carrying out “preset processing” using a temporally *past* characteristic (feature) parameter and/or a temporally *future* characteristic parameter. In view of the claimed invention, a sufficient number of frame pictures are secured which improves the picture quality even when a sufficiently large number of frames cannot be transmitted due to restriction of the transmission path, etc.

The Examiner alleges that Fogg discloses the claimed features. Fogg is directed to a formulation in which edge detection and superresolution are carried out by a decoder. In column 7, line 12 et seq., Fogg sets forth a conventional decoder. The specific decoder prediction error mentioned by the Examiner is a “prediction error” which is a result of applying the “motion-compensated prediction” to the input picture on the encoder side in the current frame using a past

encoded picture (reference picture). This prediction error is transmitted from the encoder side to the decoder side.

On the decoder side of Fogg, the prediction error signal is decoded and the decoded signal is obtained. On the encoder side, the “motion-compensated prediction” signal is computed from the past decoded picture, the computed result is added to the decoder predictor error signal and then the decoded signal is obtained. Applicant submits, however, that the “prediction” is merely applied to the “current frame.” Thus, Fogg fails to teach or suggest the claimed invention.

At least based on the foregoing, Applicant submits that claim 37 is patentable over the cited reference.

B. Claims 38, 45, 46, 54, 55, 56 and 57

Since claims 38, 45, 46, 54, 55, 56 and 57 contain features that are analogous to the features recited in claim 37, Applicant submits that such claims are patentable for at least analogous reasons as claim 37.

C. Claims 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52 and 53

Applicant submits that claims 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52 and 53 are patentable at least by virtue of their dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 27, 2009

Substitute for Form 1449 A & B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/583,080
				Confirmation Number	Not Yet Assigned
				Filing Date	June 15, 2006
				First Named Inventor	Kazunori OZAWA
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	
Q95540					

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
	US				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
	JP	2000-333131	A		11-30-2000		
	JP	7-67114	A		03-10-1995		
	JP	7-177514	A		07-14-1995		
	JP	8-9386	A		01-12-1996		
	JP	8-79742	A		03-22-1996		
	JP	10-271508	A		10-09-1998		
	JP	2-298184	A		12-10-1990		
	JP	7-107465	A		04-21-1995		
	JP	7-255056	A		10-03-1995		
	JP	6-197331	A		07-15-1994		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.